

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Devin KING

Case: 2:21-mj-30442

Case No. Assigned To : Unassigned

Assign. Date : 9/20/2021

USA V. SEALED MATTER (CMP)(CMC)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 29, 2021 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. 922(g)(1)

Felon in possession of a firearm

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: September 20, 2021

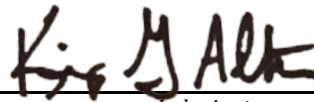
City and state: Detroit, Michigan



Complainant's signature

Special Agent Mary Behler - ATF

Printed name and title



Judge's signature

Honorable Kimberly Altman, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Special Agent Mary E. Behler, being first duly sworn, hereby depose and state as follows:

INTRODUCTION & AGENT BACKGROUND

1. I make this affidavit from personal knowledge based on my participation in this investigation, including witness interviews by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain each and every fact and detail of which I and other law enforcement officers are aware relating to this investigation.

2. I have been a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since December of 2013. Prior to becoming a Special Agent with ATF, I was a Federal Air Marshal with the Federal Air Marshal Service for approximately three years. I completed the Federal Law Enforcement Basic Training Course in Artesia, New Mexico, the Federal Air Marshal Basic Training Academy in Atlantic City, New Jersey, the Criminal Investigator Training Program in Glynco, Georgia, and the ATF Special Agent Basic Training at the Federal Law Enforcement Training Center in Glynco, Georgia. I obtained a Master

of Science degree in Law Enforcement Intelligence Analysis and a Bachelor of Arts degree in Criminal Justice from Michigan State University.

3. I am currently assigned to the Detroit Field Division, Group IV, which is responsible for conducting investigations related to the illegal use and/or possession of firearms, armed drug trafficking, and organized crime investigations. I have participated in numerous investigations of organized crime and have conducted or participated in a variety of types of surveillance, the execution of search warrants, and the debriefing of informants and cooperating witnesses. I have also participated in investigations involving Title III wiretaps, including serving as the affiant in an application to intercept wire and electronic communications for four (4) target telephones, two (2) extensions, and numerous consensually recorded lines. In addition, I have reviewed recorded conversations and records relating to various organized crime activities including, but not limited to, homicides, assaults, robberies, drug trafficking, illegal firearms possession, and wire fraud. Through my training, education, and experience, I have become familiar with the way that organized crime is conducted and the methods of payment for such crimes.

4. During my employment with ATF, I have participated in numerous criminal investigations focused on firearms, armed drug trafficking violations, and criminal street gangs. I have investigated violations of Title 18, United States Code, Section 1962 (Racketeering Influenced Corrupt Organizations Act) and Title 18,

United States Code, Section 1959 (Violent Crimes in Aid of Racketeering) with successful adjudications. Through these investigations, my training and experience, and conversations with other agents and law enforcement personnel, I have become not only familiar with firearms violations, but also with methods used by gang members and drug traffickers to smuggle and safeguard controlled substances, to distribute controlled substances, and to collect, launder, hide, disguise or conceal related proceeds. I am familiar with methods employed by gang members and large narcotic organizations to attempt to thwart investigations into their criminal activity. These tactics, employed in part to evade law enforcement, include their criminal use of and association with multiple residences, multiple cellular phones, counter surveillance, smuggling schemes, false or fictitious identities, coded communications and conversations, and the use of firearms to facilitate the illegal activity. Additionally, I have reviewed numerous social media accounts and phone downloads belonging to suspected gang members and/or associates, and am familiar with how these devices are used as a means to communicate with other members and to promote a gang's enterprise and racketeering activities.

PURPOSE OF AFFIDAVIT

5. The purpose of this affidavit is to establish probable cause that Devin KING a/k/a "Devy Dev" (DOB 06/XX/1999) violated 18 U.S.C. § 922(g)(1) (felon

in possession of a firearm) on or about July 29, 2021, in the Eastern District of Michigan.

6. In September of 2021, your Affiant reviewed a Computerized Criminal History (CCH) of KING, which revealed KING has been convicted of the following felony:

- a. 2020 – KING pled guilty to Attempt – Felony Weapons – Carrying Concealed in the 37th District Court, Macomb County, Michigan.

7. Based on KING's criminal history, particularly the recentness of his 2020 guilty plea, probable cause exists that KING knew that he had previously been convicted of at least one felony offense punishable by imprisonment for more than one year.

PROBABLE CAUSE

8. On August 18, 2021, your Affiant reviewed documents regarding the July 29, 2021 arrest of KING, during which two firearms and ammunition were recovered. Specifically, Detroit Police officers recovered a loaded Romarm/Cugir Micro Draco, 7.62x39 caliber semi-automatic firearm and a loaded Romarm/Cugir Mini Draco, 7.62x39 caliber semi-automatic firearm. Below is a summary of the events that transpired on July 29, 2021:

- a. On July 29, 2021, Detroit Police Officers were dispatched to O.H. Pye funeral home for a report of a group of individuals who were armed with large pistols. During their investigation, officers learned the group of males were hired by the family after shots were fired during the deceased individual's repast approximately one (1) week prior. The funeral home requested the officers to standby for safety reasons.
- b. When the funeral began to release, officers observed a large fight break out between two (2) groups of individuals. Officers observed a black male, wearing no shirt and black pants (later identified as Devin KING) fighting with another male at the location. While breaking up the fight, officers observed KING enter the driver's side seat of a black Ford Fusion, bearing a MI license plate, and produce a micro-Draco, AK-style pistol from the driver's side floorboard. Officers ordered KING to drop the weapon. Officers observed KING place the firearm back into the driver's side of the vehicle. Officers then observed KING flee on foot westbound toward Plymouth.
- c. Officers radioed Detroit police units with KING's description. Detroit officers observed KING walking westbound on

Plymouth Road. Officers requested KING to stop to which KING responded “No” and proceeded to enter the rear passenger side of a white 2018 Chrysler 300 and attempted to leave the scene. Officers initiated a traffic stop of the Chrysler 300 in the area of Plymouth/Glastonbury Street. KING and the driver of the vehicle, identified as Known Person #1, were detained. Officers arrested Known Person #1 for driving with license suspended (DWLS) and KING was detained in the back of a scout car.

- d. Detroit Police Officers recovered a Ford key fob from KING. Officers conducted a LEIN query of the previously mentioned Ford Fusion which revealed the vehicle is uninsured and eligible for a tow.
- e. Officers utilized the key fob to unlock the doors on the Ford Fusion and conducted an inventory search of the vehicle. Officers recovered the following:
 - i. One (1) Romarm/Cugir Micro Draco, 7.62x39 caliber semi-automatic firearm containing a loaded magazine and one live round in the chamber from the driver’s side floor board.

- ii. One (1) Romarm/Cugir Mini Draco, 7.62x39 caliber semi-automatic firearm containing a loaded magazine and one live round in the chamber from the rear passenger's seat, located in a multi-color book bag.
- iii. Devin KING's identification card located from the center console of the vehicle.
- f. Detroit Police officers arrested KING for Carrying a Concealed Weapon (CCW) and transported him to the Detroit Detention Center for processing.
- g. The abovementioned firearms and ammunition were taken into custody and placed on evidence. The firearms were test fired and submitted for NIBIN analysis.

9. On September 10, 2021, I contacted Interstate Nexus Expert ATF Special Agent Michael Jacobs. SA Jacobs advised, based upon the description provided, without physically examining the firearms, that the firearms are firearms as defined under Title 18 United States Code, Section 921 and were manufactured outside of the state of Michigan after 1898, and therefore the firearms had traveled in and affected interstate commerce.

CONCLUSION

10. Based upon the above information, probable cause exists to believe that Devin KING, a prior convicted felon, did knowingly and intentionally possess firearms, to wit: a Romarm/Cugir Micro Draco, 7.62x39 caliber semi-automatic firearm and a Romarm/Cugir Mini Draco, 7.62x39 caliber semi-automatic firearm and those firearms having traveled in interstate commerce, in violation of 18 U.S.C. § 922(g)(1) (felon in possession of a firearm). This violation occurred on or about July 29, 2021, in the Eastern District of Michigan.



Special Agent Mary E. Behler
Bureau of Alcohol, Tobacco, Firearms and Explosives

Subscribed and sworn before me or
by reliable electronic means.



Honorable Kimberly Altman
United States Magistrate Judge

Dated: September 20, 2021